

Sen. Chuck Winder, Co-Chair
Rep. Lawrence Denney, Co-Chair
Interim Committee on Federal Lands
Legislative Services Offices
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Boise, ID 83720-0054

Dear Co-Chairs and Committee Members,

Thank you for the opportunity to give input to the very serious issue of federal land ownership in the great State Of Idaho. I am technically only a second-generation Idaho resident. My aunt, who was the first of my family to actually be born in Idaho, celebrated her 95th birthday in June 2014. I am a professional forester. I attended the University of Idaho and in May 1981, I earned a Bachelor of Science Degree in Forest Resource Management. In October 1985 I began my first year around job as a timber procurement forester with W-I Forest Products in Bonners Ferry, Idaho. Since that time, I have worked as a procurement forester for Darby Lumber in Darby, Montana, Omak Wood Products in Omak Washington, and Welco Lumber in Naples, Idaho. I currently work as a procurement forester for Tricon timber in St. Regis, Montana. Throughout my career, I have maintained my residency in Idaho. In my present job with Tricon, for example, I work out of my home in the vicinity of Naples, Idaho.

Throughout my career, a large part of my job has been to be involved in the public involvement process that occurs as a major part of the USDA Forest Service planning process. The public involvement process is an integral part of all levels of USDA program planning and project implementation. As part of this involvement, I have done a great deal of research into all of the various laws that effect management of the National Forests. I have done this research over and over again in the hope that I can somehow manage to find some provision of law that will actually require the federal government to do SOMETHING that will result in more of the vast timber resources of the National Forests becoming available to our people for the enhancement of the economy of Northern Idaho.

On Friday September 12, 2014, I sat and listened to an ongoing bunch of mis-information from an ongoing bunch of uninformed people about how incredibly simple it will be for the State of Idaho to take over ownership of all 33 million acres of federal land in the state.

First, I heard from several self-proclaimed experts on the United States Constitution, loudly proclaim that federal ownership of lands is unconstitutional! **IS Federal Ownership of land unconstitutional?** As stated previously, I am a forester. I am not an attorney. I am definitely not an expert on constitutional law! However, I went home and read the United States Constitution about 3 more times to see if there were any substance to his allegation. I found the following:

Article IV Section 3. Paragraph 2 “The congress shall have power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.”

I stated previously that I am a forester, not an attorney, not an expert on constitutional law. I do not know what that paragraph means to a bunch of Philadelphia Lawyers, but I know that that paragraph means to me that the Congress can do pretty much anything with the federal lands that they so choose.

Later, I heard that these are “our Lands” meaning that these lands rightfully belong to the State of Idaho. **Do these federal Lands rightfully belong to the State of Idaho?** For an answer to this question, I read the Idaho Admissions Bill about 3 more times. Articles 4 through 11 of the Idaho Admissions Bill outline various specific land grants that the newly admitted State of Idaho would be granted. Article 12 of the Idaho admissions bill states:

“12. **Limitation on land grants and their use.** —The state of Idaho shall not be entitled to any further or other grants of land for any purpose than as expressly provided in this act. And the lands granted by this section shall be held, appropriated and disposed of exclusively for the purpose herein mentioned, in such manner as the legislature of the state may provide.”

Very clearly the Idaho Admissions Bill imposes limits on the lands that the state of Idaho can lay claim to!

In conclusion, as a life-long resident of Idaho I would like very much if the people who are pushing for the transfer of title of these lands to the state

could be correct and that there could actually be a way to facilitate said exchange. Unfortunately, no one has pointed to any way that will actually work. This includes the oft referenced, "Utah Model." **Which one?** Senator Orin Hatch repeatedly introduced bills into the United States Senate to transfer ownership of federal lands in Utah to the State of Utah. He got no support. Additionally there is a bill that has passed the Utah legislature that gives the federal government an ultimatum to turn over ownership by 12/31/2014 to the state of Utah. Unfortunately in June 2014, the Utah Attorney General in a press conference stated that there is no case.

What can Idaho do? The Idaho legislature can create a small state agency whose job it is to be involved in all levels of public involvement in Federal land management issues and to facilitate the creation of collaborative groups following the comments made by the gentleman from the Coeur d'Alene Tribe. It is important to listen to what that gentleman had to say. It is even more important to listen to what that gentleman did not say. **Remember that only a few years ago the state of Idaho got into a lawsuit involving the Coeur d'Alene tribe** over who owned the waters of the southern half of Lake Coeur d'Alene. Do not forget who won!

Thank you,

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